

MAURITIUS
TREATIES FOR THE AVOIDANCE OF DOUBLE TAXATION*
 (SUMMARY TABLE)

YEAR			COUNTRY	TAX SPARING CLAUSE	DIVIDENDS*~		INTERESTS*~		ROYALTIES*~	PERM.# EST.	CAPITAL GAINS~
					(Max. Rate)	(Max. Rate)	(Max. Rate)	Min. Duration			
No.	Year Signed	Entry into force			Portfolio	Other	Banks	Other		Activity (mths)	
1.	1978	30/11/90	<u>Germany</u>	No	5% (a)	15%	Exempt	(c)	15%	6	(d) (g)
2.	1981	17/10/82	<u>France</u>	No	5% (b)	15%	(e)	(c)	15%	6	(d)
3.	1981	26/10/87	<u>U.K.</u>	Yes	10% (b)	15%	Exempt	(c)	15%	6	(d)
4.	1983	11/06/85	<u>India</u>	Yes	5% (b)	15%	Exempt	(c)	15%	9	(d)
5.	1992	28/08/92	<u>Zimbabwe</u>	Yes	10% (a)	20%	Exempt	10%	15%	6	(d) (g)
6.	1992	21/12/92	<u>Sweden (f)</u>	Yes	5% (b)	15%	Exempt	15%	15%	6	(d) (h)
7.	1993	17/08/93	<u>Malaysia</u>	Yes	5% (b) (j)	15% (j)	15%	15%	15%	6	(d)
8.	1994	08/11/94	<u>Swaziland</u>	Yes	7.5%	7.5%	5%	5%	7.5%	6	(d)
9.	1990	28/04/95	<u>Italy</u>	No	5% (a) (k)	15% (k)	(c)	(c)	15%	6	(d)
10.	1994	04/05/95	<u>China</u>	Yes	5%	5%	Exempt	10%	10%	12	(d) (g)
11.	1994	01/07/95	<u>Pakistan</u>	Yes	10%	10%	10%	10%	12.5%	6	(d)
12.	1994	04/12/95	<u>Madagascar</u>	No	5%	10%	10%	10%	5%	6	(d)
13.	1995	07/06/96	<u>Singapore</u>	Yes	(e)	(e)	(e)	(e)	(e)	9	(d)

14.	1995	01/07/96	<u>Botswana</u>	Yes	5% (a)	10%	12%	12%	12.5%	6	(d) (h)
15.	1995	25/07/96	Namibia	Yes	5% (a)	10%	Exempt	10%	5%	6	(d)
16.	1995	12/09/96	<u>Luxembourg</u>	Yes	5% (b) (i)	10% (b) (i)	(e)	(e)	(e)	6	(d)
17.	1996	02/05/97	<u>Sri Lanka</u>	Yes	10% (b)	15%	10%	10%	10%	6	(d) (g)
18.	1996	20/06/97	<u>South Africa</u>	Yes	5% (b)	15%	(e)	(e)	(e)	9	(d)
19.	1996	12/01/98	<u>Indonesia</u>	Yes	5% (a) ¹	10%	Exempt	10%	10%	6	(d)
20.	1997	10/06/98	<u>Thailand</u>	Yes	10%	10%	10%	15%	5% (l), 15%	6	(d)
21.	1998	20/07/98	<u>Oman</u>	Yes	(e)	(e)	(e)	(e)	(e)	6	(d)
22.	1997	01/08/98	<u>Kuwait</u>	Yes	(e)	(e)	(e) (m)	(e) (m)	10%	9	(d)
23.	1995	28/01/99	<u>Belgium</u>	Yes	5%(b)	10%	10%	10%	(e)	6	(d)
24.	1997	08/04/99	<u>Mozambique</u>	Yes	8%(a), 10%(b) ¹	15%	Exempt	8%	5%	6	(d)
25.	1999	10/11/99	<u>Nepal</u>	Yes	5%(a) ² , 10%(b)	15%	10%	15%	15%(l)	6	(d)

General Notes

- Dividends, interests and royalties derived from Mauritius by offshore entities are tax exempt. No capital gains.
- Double taxation is eliminated by the credit method, i.e the taxpayer's country of residence will grant a credit for taxes paid in the source country.
- When a resident of Mauritius is recipient of dividends from a company which is resident of the treaty country, the recipient is entitled to a tax credit which shall take into account the tax paid in the treaty country by the company paying the dividend in respect of the profits out of which the dividend is paid.

* Recipient is the beneficial owner of the dividends/interests/royalties. Such income is taxed in the recipient's country of residence but may also be taxed in source country according to the laws of that state.

~ A resident of Mauritius receiving will be allowed a tax credit corresponding to the amount of tax levied in the treaty country

Services and activities including building site or a construction, installation or assembly project

Specific Notes

(a) Shareholding at least 25% (a)¹ Shareholding at least 20% (a)² Shareholding at least 15%

(b) Shareholding at least 10% (b)¹ shareholding less than 25%.

(c) Interest taxed in recipient's country of residence but may also be taxed in source country according to the laws of that state.

(d) Gains from the alienation of property (movable & immovable) forming part of the business property of a permanent establishment may be taxed in the country where the permanent establishment is situated. Gains from alienation of ships or aircraft are taxable in the state in which the alienator is resident.

- (e) Dividends/Interests/Royalties are taxable only in the recipient's country of residence according to the laws of the state.
- (f) Treaty applicable only for Offshore Companies.
- (g) Gains from the alienation of shares of a company may be taxed in the company's country of residence.
- (h) Gains from alienation of any property (inc. shares) derived by an individual holding "dual" residence are subject to taxation at any time during the next ten years following the date on which the individual has ceased to be a resident of the first state of which he was a resident.
- (i) Dividends derived by a company resident in Luxembourg from Mauritian sources are exempt from tax in Luxembourg provided that the Luxembourg company holds at least 10% of the shareholding of the Mauritian company and that the latter is subjected to tax of at least 15% in Mauritius.
- (j) Dividends paid by a company, which is resident of Malaysia to a resident of Mauritius who is the beneficial owner are exempt from any tax in Malaysia which is chargeable on dividends.
- (k) Such tax shall be deemed to have been paid at an amount not exceeding 15% of the gross amount of the dividends.
- (l) In the case of copyright of literary, artistic or scientific work, excluding cinematographic films, tapes or discs for radio or television broadcasting.
- (m) In the case of interest paid being effectively connected with a permanent establishment, the beneficial owner of the interest is taxed at a maximum of 5%.

Treaties awaiting ratification:

Cyprus
Lesotho
Russia

Treaties awaiting signature:

Bangladesh
Croatia
Malawi

Treaties being negotiated:

Canada
Czech Republic
Greece
Portugal
Tunisia
Uganda
Vietnam
Zambia